



Attorney Docket No. 944-003.103-2

IN THE U.S. PATENT AND TRADEMARK OFFICE

Re application of :
Yan Wang et al. : Examiner: Cho, Hong Sol
Filed: Herewith : Group Art: 2619
Serial No. 10/702,217
Filed: February 17, 2004 :
For: ADAPTIVE SPREADING FACTOR BASED ON POWER CONTROL

**TRANSMITTAL OF RESUBMISSION OF PREVIOUSLY SUBMITTED
RESPONSE TO NON-FINAL OFFICE ACTION DATED APRIL 8, 2008**

Director for Patents
U.S. Patent and Trademark Office
P.O. Box 1450
Arlington, VA 22313-1450

Sir:

This communication is an explanation and resubmission of our submission dated and filed on June 23, 2008 which was a response to the Non-final Office Action dated April 8, 2008.

*****If any fee and/or extension is required in addition to any enclosed herewith, please charge Account No. 23-0442.**

CERTIFICATE OF MAILING/TRANSMISSION (37 C.F.R. § 1.8(a))

I hereby certify that this correspondence is, on the date shown below, being:

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- ☒ Deposited with the United States Postal Service with sufficient postage as first class Mail in an envelope addressed to the Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450.

FACSIMILE

- ☐ Transmitted by facsimile to the U.S. Patent and Trademark Office.

Signed and Filed

Date: Oct. 15, 2008

Mariellen Chapdelaine *Mariellen Chapdelaine*
(type or print name of person certifying)

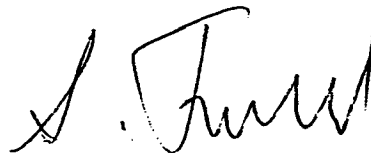
On October 14, 2008 the Examiner, Hong Cho, phoned our office to inform us that no response had been received by the USPTO to the Non-Final Office Action dated April 8, 2008. In reviewing the situation, we noted that our filed response has not been entered into the PAIR system in addition to not having been received by the Examiner. We concluded that it has been lost in the USPTO since the receipt postcard was returned to us. On October 15, 2008, we phoned the examiner's supervisor, Wing Chan, to ask for advice on the correct manner to resubmit the lost paperwork. He instructed us to resubmit copies of the original paperwork and the stamped return receipt postcard along with a letter of explanation.

We are therein resubmitting the above listed items for consideration. Included are:

1. a copy of the originally mailed "Further Request For Reconsideration" dated June 23, 2008.
2. a copy of stamped return receipt postcard which was returned to the addressee.

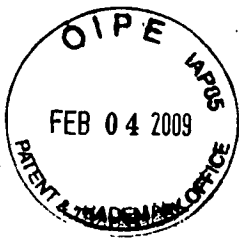
Respectfully submitted,

Date: Oct. 15, 2008



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Applicant: Yan Wang

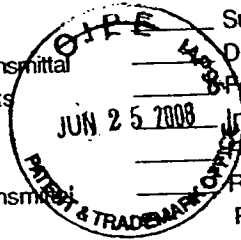
For: ADAPTIVE SPREADING FACTOR BASED ON POWER CONTROL

Serial No./Patent No. 10/702,217

Filed/Issued: 2/17/04

The following papers were received in the U.S. Patent and Trademark Office:

<input type="checkbox"/> RCE	<input type="checkbox"/> Issue Fee Transmittal
<input type="checkbox"/> Amendment Transmittal	<input type="checkbox"/> Transmittal of Formal Drawings
<input checked="" type="checkbox"/> Amendment and/or Response	<input type="checkbox"/> Submission of Proposed Drawing Amend.
<input type="checkbox"/> Comp. of Filing Requirements Transmittal	<input type="checkbox"/> Drawings - No. of Sheets <u>43</u>
<input type="checkbox"/> Copy of Notice of Missing Parts	<input type="checkbox"/> Fee: <u>8</u> Enclosed
<input type="checkbox"/> Decl. and Power of Atty.	<input type="checkbox"/> Info. Disclosure Statement
<input type="checkbox"/> Assignment w/Cover Sheet	<input type="checkbox"/> Form PTO-1449 w/References
<input type="checkbox"/> Cert. Copy of Priority Doc. w/transmittal	<input type="checkbox"/> Req. for Certificate of Correction w/
<input type="checkbox"/> Maintenance Fee Transmittal	<input type="checkbox"/> PTO/SB/44 in duplicate



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WARE, FRIESEN, VAN DER SLUYS
& ASSOCIATES

JUN 30 2008

FILE 944-003.103-2
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FURTHER REQUEST FOR RECONSIDERATION

Director for Patents
U.S. Patent and Trademark Office
P.O. Box 1450
Arlington, VA 22313-1450

Sir:

In response to Non-final Office Action of April 8, 2008, the applicant responds as follows

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Signed and Filed

Date: June 23, 2008

Mariellen Chappelaine
(type or print name of person certifying)